

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

JACOB STEVE CUTLIP,)	CASE NO. 1:10 CV 1848
)	
Plaintiff,)	JUDGE LESLEY WELLS
)	
v.)	MAGISTRATE JUDGE
)	WILLIAM H. BAUGHMAN, JR.
COMMISSIONER OF SOCIAL)	
SECURITY,)	
)	<u>REPORT & RECOMMENDATION</u>
Defendant.)	

This matter comes before me by automatic reference of administrative action¹ for review of the decision of the Commissioner of Social Security denying plaintiff's application for supplemental security income.²

On August 27, 2010, the Court issued the Magistrate Judge's initial order.³ The defendant's answer and transcript of proceedings before the Social Security Administration were filed on December 2, 2010.⁴ Plaintiff's Fact Sheet was, therefore, due on or before December 22, 2010.⁵

¹ Non-document docket entry of 08/20/2010.

² ECF # 1.

³ ECF # 7.

⁴ ECF #s 11 and 12.

⁵ ECF # 7.

On March 10, 2011, I issued an order to show cause by March 17, 2011, as to why the complaint should not be dismissed for failure to file the Fact Sheet.⁶

To date, the plaintiff has failed to file his Fact Sheet and has failed to respond to the show cause order.

On consideration whereof, the Magistrate Judge recommends the dismissal of the above-captioned case with prejudice for failure to prosecute.

Dated: March 21, 2011

s/ William H. Baughman, Jr.
United States Magistrate Judge

Objections

Any objections to this Report and Recommendation must be filed with the Clerk of Courts within fourteen (14) days of receipt of this notice. Failure to file objections within the specified time waives the right to appeal the District Court's order.⁷

⁶ ECF # 13.

⁷ See *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). See also *Thomas v. Arn*, 474 U.S. 140 (1985), *reh'g denied*, 474 U.S. 1111 (1986).